

## Message Text

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ORIGIN SS-25

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DRAFTED BY L/EA:EGVERVILLE:EA/VN:RHWENZEL:KP

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TO USMISSION GENEVA

S E C R E T STATE 035290

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EXDIS

E.O. 11652: GDS

TAGS: VN

SUBJECT: ESTABLISHMENT OF AMMUNITION PRODUCTION FACILITY  
IN SOUTH VIETNAM

FOR ALDRICH FROM LEGAL ADVISER

1. IN CONNECTION WITH CURRENT CONSIDERATION OF FUTURE RVN  
MILITARY AID REQUIREMENTS, INTERESTED AGENCIES HERE ARE  
TAKING ANOTHER LOOK AT THE FEASIBILITY OF PROVIDING THE  
RVN WITH ITS OWN AMMUNITION PRODUCTION CAPABILITY. WE  
HAVE AT THIS TIME NO SPECIFIC DETAILS ON SUCH A POSSIBLE  
PROJECT. FOR PLANNING PURPOSES, HOWEVER, WE COULD ASSUME  
THAT SUCH A FACILITY MIGHT SATISFY SOME OR ALL OF THE  
RVN'S AMMUNITION REQUIREMENTS (E.G., SMALL ARMS, AAA,  
ARTILLERY, AMMUNITION FOR ARMORED VEHICLES, AIRCRAFT  
ORDNANCE, ETC.). WE WOULD ENVISAGE THAT WE WOULD BE  
PROVIDING PLANT AND MACHINERY AS WELL AS NECESSARY  
INSTRUCTION IN ITS OPERATION AND POSSIBLY TECHNICAL

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ASSISTANCE AND SOME RAW MATERIALS AT OUTSET.

2. I WOULD APPRECIATE HAVING YOUR VIEWS AS TO WHETHER THE PROVISION OF SUCH A FACILITY WOULD BE CONSISTENT WITH THE PARIS AGREEMENT, IN PARTICULAR ARTICLE 7. IT IS OUR

UNDERSTANDING THAT ARTICLE 7 APPLIES ONLY TO ACCEPTANCE BY THE SOUTH VIETNAMESE PARTIES OF QUOTE ARMAMENTS, MUNITIONS AND WAR MATERIAL UNQUOTE FROM OTHER COUNTRIES BUT WOULD NOT PRECLUDE THEIR DEVELOPMENT OF THEIR OWN ARMS PRODUCTION CAPABILITY. IF THIS CORRECT, WOULD ASSUME WE COULD CONSIDER THAT PLANT, MACHINERY AND ANY RAW MATERIALS PROVIDED BY USG WOULD NOT RPT NOT IN AND OF THEMSELVES CONSTITUTE QUOTE WAR MATERIALS UNQUOTE UNDER ARTICLE 7. RELATED QUESTION WOULD BE WHETHER PROVISION BY CIVILIANS OF INSTRUCTION REGARDING OPERATION OF PLANT/ MACHINERY AND ANY TECHNICAL ASSISTANCE WOULD CAUSE DIFFICULTY UNDER ARTICLE 7 PROVISION CONCERNING ADVISERS. INGERSOLL

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